

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**HERMAN NUNN**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 4:07CV106-MPM-DAS**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security**

**DEFENDANT**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Upon consideration of the file and records in this case, the court finds that the Report and Recommendation of the United States Magistrate Judge dated February 26, 2009, was on that date duly filed and the parties notified; that more than ten days have elapsed since notice of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the court.

It is, therefore, **ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated February 26, 2009, be, and it is hereby, approved and adopted as the opinion of the court, and that the proposed findings of fact and conclusions of law therein set out be, and are hereby, adopted as the findings of fact and conclusions of law of the court.

2. That the final decision of the Commissioner be, and it is hereby, affirmed.

SO ORDERED, this, the 24<sup>th</sup> day of March, 2009.

/s/ MICHAEL P. MILLS  
**CHIEF JUDGE**  
**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF MISSISSIPPI**